

PATENT
674543-2001.6

REMARKS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the remarks and enclosures herein.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 15, 17, 18, 20 and 22 are now pending. Claim 15 has been amended herein, and claims 14, 16, 19 and 21 have been cancelled, without prejudice, without admission, without surrender of subject matter and without any intention of creating any estoppel as to equivalents.

No new matter is added.

The amendments presented herein are not made for purposes of patentability within the meaning of 35 U.S.C. §§§§101, 102, 103, or 112. Rather, these amendments are made simply for clarification, to place the application into condition for allowance or in better condition for appeal, and to round out the scope of protection to which Applicants are entitled.

II. THE REJECTIONS UNDER 35 U.S.C. §112 ARE OVERCOME

During the March 14, 2006 telephonic interview, the Examiner stated that the rejections under 35 U.S.C. §112 would be overcome by amendment of the claims to include an administration step and the removal of the phrase "from, or maintained by, reductase activity of 11-Beta-hydroxysteroid dehydrogenase 1 (11-Beta HSD1)".

Applicants respectfully submit that the amendments herein are in compliance with these requests, thereby rendering the rejections moot. Specifically, claim 15 has been amended herein to remove the requested phrase, and claims 14, 16, 19 and 21 have been cancelled herein as the inclusion of an administration step in claims 14 and 21 would have made the claims substantial duplicates of claims 15, 17, 18, 20 and 22. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §112 is respectfully requested.

III. THE DOUBLE-PATENTING REJECTIONS ARE OVERCOME

During the March 14, 2006 telephonic interview, the Examiner stated that the provisional rejection of claims 14-20 under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claim 15 of USSN 10/061,044 and claims 14-17 of USSN 10/080,875 was maintained. The rejections are respectfully traversed.

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Although Applicants maintain that the claims of the present application are patentable over USSN 10/061,044 and USSN 10/080,875, in order to further prosecution enclosed herewith is a Terminal Disclaimer to both of USSN 10/061,044 and USSN 10/080,875. Therefore, the rejections are now moot.

Accordingly, reconsideration and withdrawal of the obviousness-type double patenting rejections is respectfully requested.

REQUEST FOR INTERVIEW

If any issue remains as an impediment to allowance, we respectfully request a personal interview with the Examiner, her SPE, and a Group 1600 Practice Specialist, prior to issuance of any paper other than a Notice of Allowance; and, pursuant to this request the Examiner is also invited to contact the undersigned to arrange a mutually convenient time and manner for such an interview.

CONCLUSION

In view of the remarks and enclosures herewith, the application is now in condition for allowance. Consequently, reconsideration and withdrawal of the rejections, and prompt issuance of a notice of allowance, are respectfully requested.

Respectfully submitted,
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